

**LA CAÑADA UNIFIED SCHOOL DISTRICT  
LOS ANGELES COUNTY, CALIFORNIA**

**RESOLUTION #16-08-09**

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**PROPOSING A QUALIFIED SPECIAL TAX AND  
ESTABLISHING SPECIFICATIONS OF THE ELECTION ORDER**

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**WHEREAS**, the La Cañada Unified School District (the "District") is devoted to providing high quality public education; and

**WHEREAS**, the District has implemented a number of measures to maximize income and reduce expenses, including extensive local fundraising, active management of its properties and significant reductions to administration costs and expenses; and

**WHEREAS**, property values within the District are related to the quality of education available in the District's public schools; and

**WHEREAS**, unstable funding for the District from the State of California and other sources will be inadequate over the next several years to provide the level of support to the District's educational programs that the residents of the District demand; and

**WHEREAS**, Section 4 of Article XIII A and Section 2 of Article XIII C of the California Constitution and Sections 50075, 50076, 50077, 50079 and 53722 *et seq.* of the California Government Code authorize a school district, upon approval of two-thirds of the electorate voting on the measure, to levy a qualified special tax for specified purposes following notice and a public hearing; and

**WHEREAS**, Sections 4000 and 4108 of the California Elections Code authorize the District to call a mail ballot election for June 30, 2009; and

**WHEREAS**, the Governing Board of the District (the "Governing Board") has conducted a noticed public hearing, as required by law, on the question of whether or not to request the District's voters to authorize funding to continue the programs and for the purposes identified below.

**NOW THEREFORE, THE GOVERNING BOARD OF THE LA CAÑADA UNIFIED SCHOOL DISTRICT HEREBY RESOLVES, DETERMINES, AND ORDERS AS FOLLOWS:**

**Section 1.** That the Governing Board has determined in its best judgment that in order to maintain quality education in the District, an election is advisable and on that basis hereby orders the Los Angeles County Registrar of Voters to call an election and submit to the voters of the

District the question of whether to adopt a qualified special tax measure in order to maintain the quality of the District's public education that has benefited all students and citizens.

**Section 2.** Said qualified special tax shall be levied in the amount and in accordance with the procedures set forth in the attached *Exhibit A* for 5 years beginning as of July 1, 2009, against parcels of taxable real property located wholly or partly in the District.

A "parcel of taxable real property" is defined as any unit of real property in the District that receives a separate tax bill for *ad valorem* property taxes from the County Treasurer-Tax Collector's Office. All property that is otherwise exempt from or upon which no *ad valorem* property taxes are levied in any year shall also be exempt from the special tax in such year.

Any parcels that are contiguous to each other, in actual use as one residential or non-residential economic unit, and held under identical ownership shall, upon approval of an application from the owners thereof submitted to the District, be treated as a single parcel for purposes of the special tax. Applications for such treatment shall be made to the District on or before July 15, 2009, or before July 1 of any succeeding tax year. Any one approved application from a qualified applicant will provide for such treatment for the remaining term of the special tax, so long as all of the parcels continue to be held under identical ownership and are in actual use as one residential or non-residential economic unit.

**Section 3.** That the date of the election shall be June 30, 2009.

**Section 4.** That the purpose of the election shall be for the voters in the District to vote on a ballot measure, a full copy of which is attached hereto and marked *Exhibit A* and incorporated by reference herein. As required by California Elections Code section 13247, the abbreviated form of the measure to appear on the ballot is attached hereto as *Exhibit B*.

**Section 5.** That the Governing Board has the authority for ordering the election.


**Section 6.** That the authority for the specifications of this election order is contained in Section 5322 of the California Education Code, and sections 4000 and 4108 of the California Elections Code.

**Section 7.** That this Resolution shall stand as the order to the Los Angeles County Registrar of Voters to call an election within the boundaries of the District on June 30, 2009. The Governing Board requests that this election be conducted as a mail ballot election as permitted by California Elections Code sections 4000 and 4108.

**Section 8.** That the Clerk of the Governing Board is hereby directed immediately to send a certified copy of this Resolution to the Los Angeles County Registrar of Voters, the Los Angeles County Board of Supervisors, and the Los Angeles County Superintendent of Schools so that said Superintendent receives it no later than April 3, 2009.

**Section 9.** That the Los Angeles County Superintendent of Schools is hereby requested to deliver this Resolution, which constitutes the order of election, and a formal notice of the election to the Los Angeles County Registrar of Voters no later than April 3, 2009. That the Los Angeles County Superintendent of Schools is hereby requested to perform the duties under Education Code Section 5302, to call the election, prepare recommendations, statements, or arguments for the election as required, and to receive petitions, as necessary.

**Section 10.** That the Los Angeles County Superintendent of Schools is hereby requested to prepare a Formal Notice of School Parcel Tax Election (the "Notice") containing the information specified in Section 5361 of the Education Code, in substantially the form attached hereto as *Exhibit C* and to publish and/or post the Notice as required by law.

**Section 11.** That pursuant to Section 5303 of the Education Code, the Los Angeles County Registrar of Voters is hereby requested to take all steps incident to the preparation for and the holding of the election in accordance with law and these specifications. The Governing Board requests that the Registrar of Voters deliver a copy of all published notices to the Clerk of this Governing Board pursuant to Section 12113 of the Elections Code. The District will reimburse the County of Los Angeles for election services as required by law. 

**Section 12.** That the Board of Supervisors of Los Angeles County is authorized to canvass the returns of the election pursuant to Section 10411 of the Elections Code.

**Section 13.** That subject to two-thirds approval of the voters, the qualified special tax shall become effective as of July 1, 2009 and be collected by the Los Angeles County Tax Collector at the same time as and along with, and shall be subject to the same penalties as general *ad valorem* taxes collected by said tax collector. The tax and penalty shall bear interest at the same rate as the rate for unpaid *ad valorem* property taxes until paid.

**Section 14.** That the members of the Governing Board, the Superintendent of the District, and officers of the District are hereby authorized and directed, individually and collectively, to do any and all things and to execute, deliver, and perform any and all agreements and documents that they deem necessary or advisable in order to effectuate the purposes of this Resolution, including, without limitation, to prepare and submit for inclusion in the voter information pamphlet an argument in favor of passage of the ballot measure. All actions heretofore taken by the officers and agents of the District that are in conformity with the purposes and intent of this Resolution are hereby ratified, confirmed, and approved in all respects.

**Section 15.** That the members of the Governing Board, the Superintendent of the District, and officers of the District are hereby requested and directed, individually and collectively, to provide accountability measures pursuant to Government Code Section 50075.1 that include, but are not limited to, all of the following: (a) A statement indicating the specific purposes of the qualified special tax, (b) a requirement that the proceeds be applied only to the specific purposes identified pursuant to subsection (a), (c) the creation of an account into which the proceeds shall be deposited, and (d) an annual report pursuant to Section 50075.3 of the Government Code, as provided in Section 17 hereof. In addition, an oversight committee of citizens shall be appointed or designated by the Governing Board to ensure that the special tax proceeds are spent for their

authorized purposes, and to report annually to the Governing Board and the public regarding the expenditure of such funds.

**Section 16.** That pursuant to Section 50075.3 of the Government Code, the Governing Board directs that the chief fiscal officer of the District file a report with the Governing Board no later than January 1, 2010, and at least once a year thereafter. The annual report shall contain both of the following: (a) The amount of funds collected and expended, and (b) the status of any project required or authorized to be funded as identified in **Exhibit A** hereof.

**Section 17.** That the District's Superintendent, and his designee, are hereby authorized and directed to make any changes to the text of the measure described in this Resolution, or to the abbreviated form of the measure, or to the text of this Resolution, as may be convenient or necessary to comply with the intent of this Resolution, the requirements of elections officials, and requirements of law.

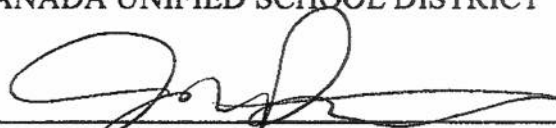
**Section 18.** That the Governing Board hereby declares, and the voters by approving this measure concur, that every section and part of this measure has independent value, and the Governing Board and the voters would have adopted each provision hereof regardless of every other provision hereof. Upon approval of this measure by the voters, should any part of the measure or tax rates be found by a court of competent jurisdiction to be invalid for any reason, all remaining parts of the measure or tax rates shall remain in full force and effect to the fullest extent allowed by law.

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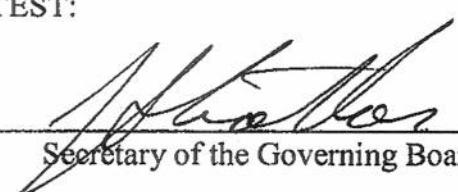
ADOPTED, SIGNED, and APPROVED on March 24, 2009.

AYES:	<u>5</u>
NOES:	<u>0</u>
ABSTAIN:	<u>0</u>
ABSENT:	<u>0</u>

GOVERNING BOARD OF THE  
LA CAÑADA UNIFIED SCHOOL DISTRICT

By:   
President of the Governing Board

ATTEST:

By:   
Secretary of the Governing Board